

CHAPTER 1
PURPOSE AND ORGANIZATION

[Prior to 2/10/88, see Pharmacy Examiners[620] Ch 9]

657—1.1(17A) Description and organization.

1.1(1) *Description of agency.* The board derives its authority for regulating the practice of pharmacy and for regulating the legal distribution and dispensing of prescription drugs and precursor substances throughout the state from Iowa Code chapters 124, 124A, 124B, 126, 147, 155A, 205, and 272C.

1.1(2) *Organization of agency.* The board is comprised of five pharmacist members and two representatives of the general public, all appointed by the governor; they are assisted by an administrative staff headed by an executive secretary appointed by the board.

1.1(3) *Purpose.* The responsibilities of the board include but are not limited to:

a. Licensing of qualified applicants to the practice of pharmacy by examination, renewal, and reciprocity under the provisions of Iowa Code chapters 147 and 155A.

b. Development and administration of a program of continuing education to ensure continued competency of individuals licensed by the board. Authority for this function comes from Iowa Code chapter 272C.

c. Regulating the legal distribution of prescription drugs through the licensing of pharmacies and wholesalers under the authority of Iowa Code chapter 155A.

d. Regulating the legal distribution of controlled substances through the registration of pharmacies, physicians, physician assistants, advanced registered nurse practitioners, dentists, podiatric physicians, veterinarians, optometrists, hospitals, health care facilities, researchers, analytical laboratories, teaching institutions, and controlled substance manufacturers and distributors throughout the state under the authority of Iowa Code chapter 124.

e. Perform compliance investigations and audits of all persons registered pursuant to Iowa Code chapter 124. These investigations and audits are conducted to ensure accountability for all controlled substances covered under this chapter.

f. Regulating the legal distribution of precursor substances through the issuance of permits to vendors and recipients of precursor substances throughout the state under the authority of Iowa Code chapter 124B.

1.1(4) *Information.* Members of the general public may obtain information or submit requests relative to the practice of pharmacy, continuing education for pharmacists, or the legal distribution and dispensing of prescription drugs, or any other matters relating to the function of the board, to the Executive Secretary/Director, Iowa Board of Pharmacy Examiners, 1209 E. Court Avenue, Executive Hills West, Des Moines, Iowa 50319. Procedures for obtaining this information may be found in 657—Chapter 14.

1.1(5) *Public meetings.* All meetings of the board shall be open and public and all citizens of Iowa shall be permitted to attend any meeting except, as provided by statute, for some exceptional reason so compelling as to override the general public policy in favor of public meetings and as permitted by Iowa Code section 21.5. Closed meetings shall only be by affirmative public vote of either two-thirds of the members of the board or all of the members present at the meeting.

a. Meetings of the board shall be held in Des Moines, Iowa, except as designated otherwise by the chairperson.

b. The board shall set the dates of its meetings at the first meeting following May 1 of each fiscal year. Notices of meetings shall be routinely posted in the space set aside for that purpose in the governor's office and in the office of the board.

c. Special meetings of the board may be called by the chairperson or upon written request of four of its members.

(1) The reason for calling a special meeting shall be recorded in the minutes.

(2) Special meetings, although advance notice cannot be published, shall be open to the citizens of Iowa except as otherwise provided in statute.

d. The executive secretary shall keep a record of all minutes of the board and these minutes shall be open to the public for inspection.

e. Members of the general public may obtain the date, time, and location of board meetings by submitting a request to the Executive Secretary, Iowa Board of Pharmacy Examiners, 1209 E. Court, Executive Hills West, Des Moines, Iowa 50319.

f. A majority of the members of the board shall constitute a quorum.

657—1.2(17A,124,124A,124B,126,147,155A,205) Disciplinary action.

1.2(1) *License denial, revocation or suspension.* Pursuant to 657—Chapter 9, the board may deny, restrict, revoke or suspend a license to practice pharmacy for grounds stated in Iowa Code sections 147.55 and 155A.12. Pursuant to 657—Chapter 9, the board may also deny, revoke or suspend a license to operate a pharmacy for grounds stated in Iowa Code section 155A.15.

1.2(2) *Controlled substance registration denial, revocation or suspension.* Pursuant to 657—Chapter 9, the board may deny, restrict, revoke or suspend registration for grounds stated in Iowa Code sections 124.303 and 124.304.

1.2(3) *Permit denial, revocation or suspension.* Pursuant to 657—Chapter 9, the board may refuse, suspend, or revoke a permit to handle precursor substances for grounds stated in Iowa Code section 124B.12.

1.2(4) *Pharmacy technician registration denial, revocation or suspension.* Pursuant to 657—Chapter 9, the board may deny, suspend, or revoke a pharmacy technician registration for grounds stated in Iowa Code section 155A.6.

1.2(5) *Pharmacist-intern registration denial, revocation or suspension.* Pursuant to 657—Chapter 9, the board may deny, suspend, or revoke a pharmacist-intern registration for grounds stated in Iowa Code section 155A.6.

657—1.3(155A) License reinstatement. Rescinded IAB 2/19/92, effective 3/25/92.

657—1.4(155A) Voluntary surrender of a license. Rescinded IAB 2/19/92, effective 3/25/92.

These rules are intended to implement Iowa Code sections 17A.3, 17A.7, 17A.9, 124.303, 124.304, and 147.14.

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